



418002

STATE OF INDIANA)	IN THE ELKHART SUPERIOR COURT 3
COUNTY OF ELKHART) SS:	CAUSE NO 20D03-1103-PL-10
LEO VANNORMAN, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
FLEXSTEEL INDUSTRIES, INC., LDL REALTY)	
COMPANY, LLC., DAVID DYGERT AND)	
PHYLLIS B. DYGERT,)	
)	
Defendants.)	

AFFIDAVIT OF GERALD ALEXANDER

Gerald Alexander, sworn upon his oath, hereby states:

1. I am of requisite age and capacity to testify as to all matters stated herein, and am under no legal disability that would in any way preclude me from testifying.
2. I worked for Dygert Seating, Inc. from 1992 until approximately March, 1997, when I began working for the Dygert Seating Division of Flexsteel Industries, Inc. ("Flexsteel"). I worked for the Dygert Seating Division of Flexsteel until approximately January 2002, when I went to work for a new business started by Dave Dygert, called PBD Corporation, which was located at the Marina Drive manufacturing site until 2007. For each of these companies, I worked in the maintenance department.
3. When I began working for Dygert Seating, Inc. in 1992, I created a Hazard Communication Program for that business. I maintained this program through my employment with the Dygert Seating Division of Flexsteel and PBD Corporation.
4. I also maintained a Master List of Hazardous Materials used at the Marina Drive and Cooper Drive manufacturing sites during my employment with Dygert Seating, Inc., the Dygert Seating Division of Flexsteel, and PBD Corporation. This List was maintained with several

binders that included MSDS sheets for the materials listed on the Master List of Hazardous Materials, and the Hazard Communication Program policies.

5. The manufacturing processes of Dygert Seating, Inc., the Dygert Seating Division of Flexsteel, and PBD Corporation at the Marina Drive and Cooper Drive manufacturing sites did not require large quantities of chemicals, nor were large quantities of chemicals ever stored at these manufacturing sites during my employment with these companies.
6. The only adhesive that I can recall was ever purchased in bulk for use by Dygert Seating, Inc., the Dygert Seating Division of Flexsteel, or PBD Corporation was Premium Adhesive, except the water-based adhesive used by the Dygert Seating Division of Flexsteel, described below. Premium Adhesive was purchased in 55-gallon drums from Chem-Tech, or sometimes from Vahala Foam.
7. At most, Dygert Seating, Inc., the Dygert Seating Division of Flexsteel, and PBD Corp. only had three drums related to adhesive on site at any one time: one full drum waiting to be used, one partially empty drum in use, and one empty drum waiting inside the building at the Marina Drive manufacturing site for removal by the supplier.
8. I would estimate that approximately one 55-gallon drum of adhesive was used per month in the manufacturing processes at the Marina Drive manufacturing sites. Adhesive was not used in the manufacturing processes at the Cooper Drive site.
9. At some point, the Dygert Seating Division of Flexsteel replaced Premium Adhesive with a two-part, water based adhesive, which did not contain TCE.
10. Drums for adhesive, whether empty or full, were stored inside the building at the Marina Drive manufacturing site.

11. There was no parts cleaner or degreasing machine at either the Marina Drive or Cooper Drive manufacturing sites. The degreasers used to clean equipment at these manufacturing sites came in 16 oz. aerosol spray cans.
12. During my employment with Dygert Seating, Inc., the Dygert Seating Division of Flexsteel, and PBD Corporation, TCE, PERC, and TCA were never purchased in drums and were never used in the manufacturing process at any of these businesses.

I affirm, under the penalties of perjury, that the foregoing statements are true.

6-6-2011
Date

Gerald Alexander
Gerald Alexander



VanNorman et al. v. Flexsteel et al.

Kwilosz, Andrea for Bernard Schorle

Re: "Michael, Rodney"

08/10/2011 01:11 PM

1 attachment



Alexander, Gerald - 2011-08-02 Deposition Transcript.PDF

Mr. Schorle:

Pursuant to your request, attached is a copy of Gerald Alexander's deposition transcript. If you have any difficulty with this transmission, please let me know.

Taft /

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